

**CERTIFICATE OF MAILING OR ELECTRONIC TRANSMISSION UNDER 37 CFR § 1.8(a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is:

\_\_\_ being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents address below, or

X being transmitted via EFS.

/Mark C Johnson/  
Mark C. Johnson

December 8, 2006  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent application of:

Applicant(s): Horace W. Hale et al.  
Serial No: 10/651,871  
Filing Date: August 29, 2003  
Title: FACET IMPLANT  
Examiner: Annette R. Reimers  
Art Unit: 3733  
Docket No. HORA.P0101US

**RESPONSE TO OFFICE ACTION DATED AUGUST 25, 2006**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Favorable reconsideration of the above-referenced application is respectfully requested in view of the following attachments:

Amendments to the Claims  
Amendments to the Specification  
Remarks

In the event any fee or additional fee is due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988 (under the above Docket Number). In the event an extension of time is needed to make the filing of this paper timely and no separate petition is attached, please consider this a petition for the requisite extension and charge the fee to our Deposit Account No. 18-0988 (under the above Docket Number).